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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,316	10/22/2001	Mark Lucovsky	3100	9380

7590 06/27/2005

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/021,316

Applicant(s)

LUCOVSKY ET AL.

Examiner

Etienne P LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/4/05</u> . | 6) <input type="checkbox"/> Other: _____ |

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Continued Examination

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/4/2005 has been entered.

Claims Status:

Claims 4-37 are pending: claims 1-3 having been canceled. Claims 4-37 are rejected as detailed below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 4-6, 8-22, 24-27 and 29-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Pub No US 2005/0065950 issued to Chaganti et al (hereafter Chaganti).

Claims 4, 14, 16-21, 29-31, 35 and 36:

Chaganti discloses:

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receiving a request from a device [Fig 1, requester computer 106] having a service running thereon [plug-in program such as an applet, paragraph 66]

using a service to service protocol [HTTP or FTP, paragraph 21] to retrieve contacts data from a data store [Fig 1, database 108], the request including associated identity information [authorized requester 105, paragraphs 28 and 51]

reading from the data store to obtain contacts data in response to the request [paragraphs 21, 22, 36], wherein access to the data store is based on the associated identity information [authorized requester 105, paragraphs 28 and 51]

constructing a contacts document including at least part of the requested contacts data and including a defined schema [paragraphs 32, 53] for contacts data, the defined schema operable to be interpreted by the service running on the device [paragraphs 25, 38 report generation module 150, Fig 1]

returning the contacts document to the device in response to the request [paragraph 21]

Claims 5, 15 and 22 and 37:

Chaganti discloses the wherein the schema includes at least one defined field for extending the schema [user later enters medical information, paragraph 43]

Claims 6

Chaganti discloses wherein the at least one defined field comprises data corresponding to a contacts display name [Table 1]

Claim 8:

Chaganti discloses wherein the at least one data field comprises data corresponding to a phone number [paragraph 36]

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Claim 9:

Chaganti discloses wherein the at least one defined field comprises data corresponding to an email address [paragraph 55]

Claim 10:

Chaganti discloses wherein the at least one defined field comprises data corresponding to a mailing address [paragraph 36].

Claim 11:

Chaganti discloses wherein the at least one defined field comprises data corresponding to a title [paragraph 36]

Claim 12:

Chaganti discloses wherein the at least one defined field comprises data corresponding to a second phone number [paragraph 36].

Claim 13:

Chaganti disclose wherein the at least one defined field comprises data corresponding to second email address [paragraph 55].

Claims 24 and 32:

Chaganti discloses wherein the manipulating comprises an update manipulation [paragraph 5]

Claim 25:

Chaganti discloses wherein the manipulating comprises a replace manipulation [paragraph 5]

Claim 26:

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Chaganti discloses wherein the manipulating comprises a send message manipulation [paragraph 21].

Claim 27:

Chaganti discloses wherein the manipulating comprises a save message manipulation [paragraph 21]

Claim 33:

Chaganti discloses computer-executable instructions for denying the request for data based on the associated identity information [paragraph 57]

Claim 34:

Chaganti discloses computer-executable instructions for constructing the document in an extensible markup language [paragraph 25].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

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invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 7, 23 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaganti in view of US Pat No 6,453,317 issued to LaCost et al (hereafter LaCost)

Claim 7:

Chaganti discloses the elements of claims 4 and 5 as noted above but fails to disclose wherein the at least one defined field comprises data corresponding to a contacts protocol. LaCost discloses wherein the at least one defined field comprises data corresponding to a contacts protocol [Fig 1, col 3, lines 55-58]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chaganti to include wherein the at least one defined field comprises data corresponding to a contacts protocol as taught by LaCost for the purpose of providing a system in which shared databases containing customer related information may be stored within a server system and delivered to users such as customers via a variety of network connections [col 3, lines 50-55].

Claim 23:

Chaganti discloses the elements of claims 16 and 20 as noted above but fails to disclose a delete manipulation. Official Notice is taken that a delete manipulation is well-known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chaganti to include a delete manipulation for the purpose of removing information that is obsolete and thereby freeing up storage space for new and up-to-date information.

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Claim 28:

Chaganti discloses the elements of claims 16 and 20 as noted above but fails to disclose wherein the manipulating comprises a copy message manipulation. Official Notice is taken that a copy message manipulation is well-known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chaganti to include a copy message manipulation for the purpose of sending a duplicate copy of the message to a second person such that the second person is kept up-to-date regarding the subject matter of the message.

Response to Arguments

Applicant's arguments with respect to claims 4-37 have been considered but are moot in view of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on 8:00-4:30.

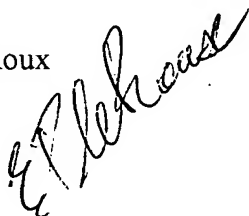
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

6/21/2005

A handwritten signature in black ink, appearing to read "Etienne LeRoux", written diagonally across the printed name and date.